

OCT 18 2010

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Ernst Reder et al.

Examiner: Benjamin M. Kurtz

Serial No: 10/520,733

Group Art Unit: 1723

Filed: January 10, 2005

Date: October 18, 2010

For: **FILTER CARTRIDGE**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

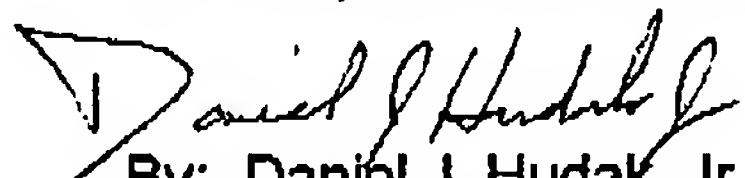
SUBMISSION OF APPEAL BRIEF

Sir:

Further to our request for Reinstatement of Appeal filed August 19, 2010 in the United States Patent and Trademark Office, Appellants hereby submit an Appeal Brief in accordance with 37 CFR § 41.37. As indicated in MPEP 1204.01, the previously paid Appeal Brief fee of \$510.00 paid on June 13, 2008 will be applied to this Appeal as a final Board decision has not been made on the prior Appeal. Therefore, as the fee is now \$540.00 authorization to charge Deposit Account 08-3150 in the amount of \$30.00 is provided to cover the difference,

Respectfully submitted,

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BRIEF FOR APPELLANTS

Appellants have appealed the Final Rejection of June 7, 2010. Please consider this Appeal Brief filed in accordance with 37 CFR § 41.37.

REAL PARTY IN INTEREST

By virtue of an Assignment dated December 21, 2004, by the named inventors, the real party in interest is BRITA GmbH, having a business address of Heinrich-Hertz-Strasse 4, Taunusstein, Germany 65232. The Assignment has been recorded in the U.S. Patent and Trademark Office on January 10, 2005 at Reel 017193 and Frame 0215.

RELATED APPEALS AND INTERFERENCES

There are no other appeals, interferences or judicial proceedings known to the Appellants, Appellants' legal representative or Assignee which will affect or have bearing on the Board's decision concerning this appeal.

STATUS OF CLAIMS

Claims 1-10 and 15-28 are pending in the application. Claims 11-14 and 29 have been cancelled. Claims 1-10, 15-19, 21 and 25-28 have been rejected. Claims 20, 23 and 24 have been allowed. Claim 22 has been objected to, but would be allowable if